

Unified Government of Athens-Clarke County, Georgia
Mayor and Commission
Tuesday, May 3, 2016
7:00 p.m.
City Hall

The Mayor and Commission of the Unified Government of Athens-Clarke County met this date in regular monthly business session. Present: Mayor Denson; Commissioners Dickerson, Sims, Link, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby. No one was absent.

A motion was made by Commissioner Sims, seconded by Commissioner Bailey, to approve Minutes of meeting of Tuesday, April 5, 2016. The motion passed by unanimous vote.

Written communications

Entered into the record was notification from Transportation and Public Works Director David Clark of acceptance of streets for Anna's Walk.

Anna's Walk
North Indigo Lane
South Indigo Lane

Old business – Consent

Items under this section were discussed at prior public meetings and were presented for consideration as a single item. Only one vote was taken.

Citizen input

The following citizen input was received.

1. Sydney Bacchus, P. O. Box 174 – opposed jail expansion and watershed management plans.
2. Dr. Claude Burnett, Director Northeast Health District – supported bike lanes.
3. James Gray, 340 Richard Way, member Board of Health – supported bike and pedestrian safety.
4. Josh Wade, 371 East Clayton Street – opposed jail expansion.

A motion was made by Commissioner Sims, seconded by Commissioner Girtz, to consent to action on the following 10 items. The motion passed by unanimous vote.

1. ADOPT: The following ordinance (#16-05-20) which was presented by title only as per agenda report dated March 29, 2016.

AN ORDINANCE TO AMEND THE 2016 ANNUAL OPERATING AND CAPITAL BUDGET FOR ATHENS-CLARKE COUNTY, GEORGIA SO AS TO PROVIDE FUNDING TO THE FIRE DEPARTMENT FOR EXPENSES RELATED TO THE REPAIR OF LADDER TRUCK 1 AND LADDER TRUCK 3; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the General Fund to provide additional funding to the Fire Department for expenses related to ladder truck repairs. Said Operating and Capital budget is hereby amended as follows:

General Fund:

INCREASE:

Fire Department:
Operating Expenses \$60,000

DECREASE:

Other General Administration:
Operating Contingency (\$60,000)

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

2. APPROVE: An exception to Policy/Procedure Statement WS-011: Water and/or Sanitary Sewer Services to allow public sanitary sewer service to be provided to 145 Berlin Street, subject to the property owner meeting the following conditions:
 - Submittal of properly executed utility easement conveyances in a form acceptable to the Athens-Clarke Attorney and Chief Plumbing Inspector; and
 - Payment of the appropriate fees as identified under Facts and Issues No. 8 of agenda report dated March 23, 2016 for the property.

3. APPROVE: Award of bid to Insight Public Sector (Bid #00800, lowest bidder) to allow for the purchase of mobile data terminals (MDTs) and tablets in support of police operations as per agenda report dated April 7, 2016; and authorize the Mayor and appropriate staff to execute all documents related to the purchase of the requested equipment.

4. APPROVE: Award of a purchase contract to ASC Construction Equipment USA, Inc. in the amount of \$321,973 for a Volvo 25 Yard Articulated Dump Truck for use by the Solid Waste Department's Landfill Division as per agenda report dated March 24, 2016; approve funding through the Georgia Municipal Association (GMA) Equipment Lease Program for the purchase; and authorize the Mayor and appropriate staff to execute all related documents.

5. APPROVE: Government Facilities Fire Protection (SPLOST 2011 Project #20) – Construction contract award as per agenda report dated March 29, 2016:
 - a. Approve Kevin Price General Contracting as the designated vendor providing the proposal representing the best value for construction services for fire sprinkler systems for government buildings in response to RFP #00792;
 - b. Authorize staff to negotiate final contract agreements with Kevin Price General Contracting for an amount not to exceed the project budget available for construction of \$834,284; and,
 - c. Authorize the Mayor and appropriate staff to execute all related documents.

6. APPROVE: Award contract to Fireline Incorporated in the amount of \$815,000 to purchase an E-One Metro 100 Aerial Single Axle ladder truck through the FY 16 Capital Fund for use by the Fire Department as per agenda report dated March 29, 2016; and authorize the Mayor and appropriate staff to execute the necessary contract documents to make the purchase.

7. APPROVE: Declaration of items listed on Attachment #1 of agenda report dated March 30, 2016 as surplus property; authorize the donation of the items described in the attachment to the U.S. State Department Office of Civilian Police and Rule of Law; and authorize the Mayor and appropriate staff to execute all related documents.

8. APPROVE: Amendment to the Neighborhood Traffic Management Program (NTMP) as recommended by the Government Operations Committee report of March 29, 2016:
 - a) Reduce the required vehicle volumes from 750 to 500 vehicles per day; and
 - b) Reduce the 85th percentile speed requirement from 35 mph to 32.5 mph

9. APPROVE: Contract with Arcadis/Tetra Tech based on the scope of services for the completion of the remaining Watershed Management Plans as shown in Attachment #1 of agenda report dated April 7, 2016; and authorize the Mayor and appropriate staff to execute the necessary documents for the completion of these Watershed Management Plans.

10. APPROVE: Recommendations for appointments to the Athens Cultural Affairs Commission for term ending March 31, 2019.

Marc Beechuk – reappointment

Melissa Lee

Leon Leathers

Old business – Discussion

Citizen input

The following citizen input was received.

1. Tyler Dewey, 149 Tracy Street – supported Chase Street improvements.
2. Amy Roark, 145 Cain Street, Chase Street PTO President Elect – supported Chase Street crosswalks.
3. Tony Eubanks, 785 North Pope Street – supported complete streets.
4. Elio Windham, 923 North Chase Street – supported pool repairs and Chase Street improvements.
5. Peter Norris, 460 Sunset Drive, Vice-president Upper Oconee Water Basin Network – opposed new reservoir.
6. Sydney Bacchus, P. O. Box 174 – opposed Public Utilities Service Delivery Plan and Cook’s Trail boardwalk repairs.
7. Michael Smith, Bryan Street family property – supported bike lanes.
8. Michael Moody, Oglethorpe County, property owner on Oconee Street – opposed new reservoir.
9. Chris Manfaniell, 220 MLK Parkway, Georgia Rivers Network – opposed new reservoir.

10. Jason Matherly, 965 Chase Street – supported commission-defined option for Chase Street.
11. Erin Podvin, 863 North Chase Street - supported commission-defined option for Chase Street.
12. Jerry Daniel, 197 Beulah Avenue – supported commission-defined option for Chase Street and Newton Street road closure.
13. Elliott Caldwell, 160 Westover Drive, Georgia Bikes, supported commission-defined option for Chase Street.
14. Gretchen Elsner, P. O. Box 562 – supported bike lanes and water quality.
15. Jim Hopkins, 1819 South Lumpkin Street – Chair Hospital Authority and Athens Regional Health Services - supported Hospital Authority affiliation with Piedmont Health Care.
16. Carl Jordan, 185 Kings Road – opposed new reservoir and increase in water rates.
17. Mark McConnell, 2510 Commerce Road –opposed new reservoir.
18. Michael Moody, Oglethorpe County – opposed Hospital Authority affiliation with Piedmont Health Care.

A motion was made by Commissioner Girtz, seconded by Commissioner Sims, with regard to Jail Expansion (SPLOST 2011 Project #01) – Construction contract change order #7 as per agenda report dated March 29, 2016:

- a. Authorize staff to execute change order #7 to the construction contract with McKnight Construction Company, Inc. for the Jail Expansion Project (SPLOST 2011 Project #01) in the not-to-exceed amount of \$6,195,093 and;
- b. Authorize staff to execute an architectural professional services contract change order to Rosser International, Inc. for architectural support services for the Jail Expansion (SPLOST 2011 Project #01) for an amount of \$211,000 and;
- c. Authorize staff to execute a professional services contract change order to Collins Project Management for construction management support services for the Jail Expansion (SPLOST 2011 Project #01) for an amount of \$40,000 and;
- d. Authorize staff to execute a professional services contract change order to KLG Jones, Inc. for commissioning agent services for the Jail Expansion (SPLOST 2011 Project #01) for an amount of \$80,900 and;
- e. Authorize the Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

A motion was made by Commissioner Hamby, seconded by Commissioner Wright, to approve Downtown Master Plan Committee recommendation as per report dated April 15, 2016:

Request that the Manager's office direct staff to reexamine streets that comprise the Downtown Business District (specifically Clayton and Washington Streets) and develop concepts and cost estimates that address pedestrian safety, traffic patterns, business delivery functionality, infrastructure connectivity, and aesthetic appeal using the Downtown Masterplan and anticipated Downtown Public Health Study as inputs.

The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner Herod, to authorize the consent to the proposed affiliation transaction in accordance with the draft documentation provided for review by which Piedmont Health Care, Inc. will become the sole and controlling member of Athens Regional Medical Center Inc., which in turn will be the sole member of each other affiliated entity as per agenda report revised April 7, 2016; and authorize the Mayor and appropriate staff to execute such consent and all necessary documents, after attorney reviews, associated with these actions. The motion passed by unanimous vote.

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to divide the question on the North Chase Street lane configurations. There was a tie roll call vote with Commissioners Dickerson, Sims, Wright, Bell, and Herod voting YES; and Commissioners Link, Bailey, NeSmith, Girtz, and Hamby voting NO. (5 YES; 5 NO). Mayor Denson broke the tie with a vote of YES.

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to approve the following commission-defined options for item a Prince Avenue to Boulevard for the North Chase Street lane configurations as follows:

- a. Prince Avenue to Boulevard
 - a. Lane Reconfigurations
 1. None proposed
 2. Retain the 13-foot wide single travel lane
 3. Retain left-turn lanes at both Prince Avenue and Boulevard intersections
 - b. Bicycle Facilities
 1. Add Sharrows within travel lanes
 2. Install Share the Road signage
 - c. Pedestrian Facilities
 1. No changes to sidewalks
 2. No changes to existing Medical Complex mid-block crosswalks
 3. Add a new midblock crosswalk at midpoint of retention pond in front of Chase Street Elementary School as per Chase St. PTO proposal (ATTACHMENT A)
(no additional cost as this simply relocates the originally proposed crosswalk
 - a. Narrow travel lanes down to 10 feet
 - b. Six-foot wide pedestrian refuge island
 - c. Island is angled to direct pedestrians to face traffic
 - d. Includes Rapid Rectangular Flashing Beacons (RRFBs)
 - e. Center striping upon approach to median from both directions should widen to an extended teardrop shape as per the Medical Complex medians. (indicated on overhead wide area photo in ATTACHMENT A)
 4. ~~Add new crosswalk at south side of south Chase St. Elementary driveway with RRFBs as per Chase St. PTO proposal \$12,000~~
**This item has been recommended to the Chase St. Elementary PTO to be addressed via the Safe Routes to School Committee for pursuit & funding approval in the immediate future to facilitate implementation during the repaving process. It will likely require the relocation of an existing crossing guard or the hiring of an additional one at an annual expense to ACCPD.*
- d. Speed Limit
 1. Conduct speed analysis of corridor approximately 12-18 months after implementation to determine if new speed data & new road conditions meet GDOT thresholds to lower speed limit through school zone & residential neighborhoods south of Prince Ave. to 25mph.

The motion passed by unanimous vote.

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, to approve items a; b, 1, 2, 3; c 1,2; and e of the commission-defined option b Boulevard to Rowe Road for the North Chase Street lane configurations as follows:

b. Boulevard to Rowe Road

a. Lane Reconfigurations

1. No changes at Boulevard intersection
2. Remove the two-way left-turn lane between northern driveway edge of 965 Chase Street to Rowe Road
3. Create two 11-foot wide single travel lanes (one northbound, one southbound)
4. Create painted median with teardrop approach on north end for appropriate distance upon southward approach over RR bridge to beginning of turn lane (as per Dougherty St. eastward approach toward Thomas St. intersection) \$1000 (SEE IMAGE #1)
5. Conduct speed & safety reevaluation approximately 12-18 months after implementation to determine traffic-calming impacts of road improvement. Determination can be made at this time as to whether or not to consider reducing the turn lane & extending bike lanes further towards Boulevard.

b. Bicycle Facilities

1. Place Sharrows in travel lanes at Boulevard intersection
2. Create a five-foot wide bicycle lane from 965 Chase Street to Rowe Road. Bike lanes should include 12-18" wide double-striped buffer (included in minimum 5' width). \$2500 (SEE IMAGE #2)
3. Southbound bike lanes should be painted green from proximity of RR bridge with green blocked sharrows as they merge into auto travel lane at the painted median approach to 965 Chase. \$11,000 (SEE IMAGE #3)

c. Pedestrian Facilities

1. No changes to sidewalks
2. Replace brick crosswalk markings at Boulevard intersection

e. Speed Limit

1. Conduct speed analysis of corridor approximately 12-18 months after implementation to determine if new speed data & new road conditions meet GDOT thresholds to lower speed limit through residential area to 25mph.

A substitute motion was made by Commissioner Girtz, seconded by Commissioner Bailey, to approve commission-defined option b as originally presented and as follows:

b. Boulevard to Rowe Road

a. Lane Reconfigurations

1. No changes at Boulevard intersection
2. Remove the two-way left-turn lane between northern driveway edge of 965 Chase Street to Rowe Road
3. Create two 11-foot wide single travel lanes (one northbound, one southbound)
4. Create painted median with teardrop approach on north end for appropriate distance upon southward approach over RR bridge to beginning of turn lane (as per Dougherty St. eastward approach toward Thomas St. intersection) \$1000 (SEE IMAGE #1)
5. Conduct speed & safety reevaluation approximately 12-18 months after implementation to determine traffic-calming impacts of road improvement. Determination can be made at this time as to whether or not to consider reducing the turn lane & extending bike lanes further towards Boulevard.

b. Bicycle Facilities

1. Place Sharrows in travel lanes at Boulevard intersection
2. Create a five-foot wide bicycle lane from 965 Chase Street to Rowe Road. Bike lanes should include 12-18" wide double-striped buffer (included in minimum 5' width). \$2500 (SEE IMAGE #2)
3. Southbound bike lanes should be painted green from proximity of RR bridge with green blocked sharrows as they merge into auto travel lane at the painted median approach to 965 Chase. \$11,000 (SEE IMAGE #3)

c. Pedestrian Facilities

1. No changes to sidewalks
2. Replace brick crosswalk markings at Boulevard intersection
3. Crosswalk at north side of Nantahala intersection with RRFBs.
\$11,000
4. ~~Crosswalk at north side of Oneta St. intersection with RRFBs.
\$11,000~~

*Crosswalks at this locations will not only enhance pedestrian safety, but should contribute to traffic-calming in serving as visual cues offering subtle impediments to the perception of a speed-inducing wide-open road.

d. Signage

1. Install flashing "Your Speed" sign facing southbound lane upon approach to RR bridge as per similar signage on approach to Chase St. school zone. \$4000 (SEE IMAGE #4)
2. Install "Ped Xing" sign upon approaches to Oneta & Nantahala intersections
3. Install "Share the Road" signage upon southward approach to bike lane termination after RR bridge

e. Speed Limit

1. Conduct speed analysis of corridor approximately 12-18 months after implementation to determine if new speed data & new road conditions meet GDOT thresholds to lower speed limit through residential area to 25mph.

The substitute motion passed by roll call vote with Commissioners Link, Bailey, NeSmith, Bell, Girtz, and Hamby voting YES; and Commissioners Dickerson, Sims, Wright, and Herod voting NO. (6 YES; 4 NO)

A motion was made by Commissioner Girtz, seconded by Commissioner Bailey, to approve commission-defined option c Rowe Road to Newton Bridge Road for the North Chase Street lane configurations as follows:

c. Rowe Road to Newton Bridge Road

a. Lane Reconfigurations

1. Convert corridor from four-lanes to three-lanes
2. Create a 10-foot wide travel lane (one northbound, one southbound)
3. Create a 10-foot wide left-turn lane at key intersections
4. Install 10-foot wide two-way left turn lanes in other locations

b. Bicycle Facilities

1. Create a five-foot wide bicycle lane including 12" double-striped buffer. \$5000

c. Pedestrian Facilities

1. No new sidewalks along this section

d. Additional safety concerns

1. Clear vegetation to improve sight lines at Loop off-ramps
2. Evaluate Loop off-ramp intersections for possible future installation of yellow blinking lights &/or stoplights.

The motion passed by unanimous vote.

A motion was made by Commissioner Wright, seconded by Commissioner Bailey, to DENY proposed road closure of Newton Street between Meigs Street and Prince Avenue. The motion passed by unanimous vote.

A motion was made by Commissioner Sims, seconded by Commissioner Dickerson, to award a contract to CorrectHealth Athens, LLC, for FY17 inmate health care services in the amount of \$1,338,906 as per agenda report dated March 30, 2016; and authorize Mayor and appropriate staff to sign required document(s) to execute the contract. The motion passed by unanimous vote.

A motion was made by Commissioner Girtz, seconded by Commissioner Sims, to approve 2015 Update to the Public Utilities Department Service Delivery Plan: Capital Element, with the following modifications:

Project No.	Type	Project Name	Cost Type	Funding Source	Start Year	Category	Unescalated Total
6-205	Water	Future Water Supply Enhancements	Research and Design	Internal Capital	2017	F	\$20M

accept the proposed Project Implementation Schedule as outlined in Attachment A of agenda report dated March 25, 2016; and

accept the six-year Rate Adjustment Component of the 2015 Update to the Financial Element of the Public Utilities Department Service Delivery Plan, as outlined in Facts and Issues No. 6 of said agenda report.

A substitute motion was made by Commissioner Link, seconded by Commissioner Bailey, as follows:

UPDATE SERVICE DELIVERY PLAN

Amend item 6-205:

"Water Future New (Raw) Water Supply Preliminary Engineering and Land Acquisition" Design \$20,000,000

to read:

"Enhanced Future Water Supply & Conservation, Analysis & Planning" Design \$2,000,000;

accept the proposed Project Implementation Schedule as outlined in Attachment A of agenda report dated March 25, 2016; and

accept the six-year Rate Adjustment Component of the 2015 Update to the Financial Element of the Public Utilities Department Service Delivery Plan, as outlined in Facts and Issues No. 6 of said agenda report.

A motion was made by Commissioner Hamby, seconded by Commissioner Herod, to call the question. The motion passed by roll call vote with Commissioners Dickerson, Sims, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby voting YES; and Commissioner Link voting NO. (9 YES; 1 NO)

The substitute motion failed by roll call vote with Commissioners Link and Bailey voting YES; and Commissioners Dickerson, Sims, Wright, NeSmith, Bell, Herod, Girtz, and Hamby voting NO. (2 YES; 8 NO)

The original motion passed by roll call vote with Commissioners Dickerson, Sims, Wright, Bailey, NeSmith, Bell, Herod, Girtz, and Hamby voting YES; and Commissioner Link voting NO. (9 YES; 1 NO)

A motion was made by Commissioner Dickerson, seconded by Commissioner Sims, with regard to Parks Facilities Improvements (SPLOST 2011 Project #16, Sub-Project #6) – Project concept.

- a) Approve the project concept for SPLOST 2011 Project #16, Sub-Project #6 – Repair of Cook’s Trail Boardwalk (known as Facility #449) as described in Facts and Issues #5 of agenda report dated March 28 2016;
- b) Authorize staff to advance the repair of Cook’s Trail Boardwalk Facility #449 to the bid and award phase in accordance with the approved project concept;
- c) Adopt the following ordinance (#16-05-21) which was presented by title only reallocating \$100,000 from the remaining funding balance of the Morton Theatre (SPLOST 2011 Project #13) to the project budget of the Cook’s Trail Boardwalk Repair (SPLOST 2011 Project #16, Sub-Project #6); and
- d) Authorize the Mayor and appropriate staff to execute all related documents.

The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 PROGRAM BUDGET SO AS TO PROVIDE ADDITIONAL FUNDING FOR THE SPECIAL PURPOSE LOCAL OPTION SALES TAX 2011 PROJECT #16 – PARK FACILITY IMPROVEMENTS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The Commission of Athens-Clarke County, Georgia desires to amend the SPLOST 2011 Capital Projects Fund to provide additional funding for the Project #16 – Park Facility Improvements. Said Operating and Capital budget is hereby amended as follows:

SPLOST 2011 Capital Projects Fund:

EXPENDITURES:

DECREASE:

Project #13 – Morton Theatre Facility Repair & Renovation (\$100,000)

INCREASE:

Project #16 – Park Facility Improvements \$100,000

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion was made by Commissioner Link, seconded by Commissioner Hamby, to approve the list of roadways and associated maintenance activities recommended for inclusion in the FY17 Pavement Maintenance Project (PMP) as shown in Attachment #1 of agenda report dated April 7, 2016 with the following amendment:

FY17 PMP (Pavement Maintenance Plan) Project Resolution

Remove #5 East Washington Street from the ACC Capital/SPLOST Rehabilitation list for staff analysis as directed in the agenda item *Downtown Master Plan Implementation Committee Report* approved earlier which stated:

Request that the Manager's office direct staff to reexamine streets that comprise the Downtown Business District (specifically Clayton and Washington Streets) and develop concepts and cost estimates that address pedestrian safety, traffic patterns, business delivery functionality, infrastructure connectivity, and aesthetic appeal using the Downtown Masterplan and anticipated Downtown Public Health Study as inputs; and

adopt the following resolution authorizing the Mayor and appropriate staff to sign all related contracts, documents, and certifications associated with funding for this project.

Commissioner Hamby recommended an amendment that the Barber Street rehabilitation be moved to the ACC Capital/SPLOST Rehabilitation list in lieu of Washington Street.

The amendment was accepted by Commissioner Link and the motion as amended passed by unanimous vote.

RESOLUTION
FY 2017 PAVEMENT
MAINTENANCE PROJECT

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County have specifically determined and found that it is in the public interest to perform preventive maintenance, rehabilitation or reconstruction on approximately 161 (one hundred sixty-one) lane miles of locally maintained roads (hereinafter referred to as "the project"); and

WHEREAS, the said project will include funding from the Georgia Department of Transportation, SPLOST 2011 Project # 26, and the FY17 General Fund for a total construction budget not to exceed \$2,803,159 and

WHEREAS, The Mayor and Commission of the Unified Government of Athens-Clarke County have further found that the project is necessary and appropriate for the protection of public safety and serves the general welfare of Athens-Clarke County.

NOW THEREFORE BE IT HEREBY RESOLVED that this project is authorized and approved as an official project of the Unified Government of Athens-Clarke County; and

BE IT FURTHER RESOLVED that the Mayor, Clerk of Commission, and Manager, or their lawful designees, are hereby expressly authorized to initiate, certify, and sign all documents and to perform all lawful acts necessary to secure funds from the State of Georgia, or the United States of America, or from any department, agency, or subdivision thereof or from any private individual or entity, to defray, in whole or in part, the cost of the said project; and

BE IT FURTHER RESOLVED that the Manager or his lawful designees are hereby expressly authorized to acquire appropriate interest or title to all real estate necessary for the reasonable execution of said project, by any means allowed by law including, without limitation, the exercise on behalf of the Unified Government of Athens-Clarke County, of the power of eminent domain;

BE IT FURTHER HEREBY RESOLVED that the Manager or his lawful designees are hereby authorized to employ or contract for the professional services of attorneys, accountants, engineers, architects, appraisers, sureties, indemnitors, actuaries, and other professional consultants necessary for the plan, design, construction, execution, and general management of the said project; and,

BE IT FURTHER HEREBY RESOLVED that the Manager or his lawful designees are hereby authorized to seek bids or competitive proposals in the newspaper, on radio stations and television stations, or by other means as they deem appropriate or as may be required by law; and

BE IT FURTHER HEREBY RESOLVED that the Mayor, Clerk of Commission, and Manager or their lawful designees are hereby authorized to execute and file all documents and certifications necessary for the proper completion of the said project.

New business – Consider under suspension of Rules

A motion was made by Commissioner Sims, seconded by Commissioner Herod, to suspend Rules of Commission for consideration of one item of new business. The motion passed by unanimous vote.

A motion was made by Commissioner Sims, seconded by Commissioner NeSmith, to approve the following appointments as recommended by the Nominating Committee. The motion passed by unanimous vote.

Airport Authority	Bayne Smith Four-year term expiring 06-30-20
	James Pierce Four-year term expiring 06-30-20
	Robert Wigglesworth Partial term expiring 06-30-17
Board of Health	Patricia Moore Partial term expiring 12-31-16 Advocate for consumers
	Brandon Harden Partial term expiring 12-31-17 Practicing Physician
Classic Center Authority	Richard Boone - reappointment Four-year term expiring 06-30-20
	Charlie Maddox - reappointment Four-year term expiring 06-30-20

Hearings Board	David Ellison Four-year term expiring 06-30-20
	Sharon Bradley Four-year term expiring 06-30-20
Historic Preservation Commission	Danny Bass Three-year term expiring 06-30-19
Planning Commission	Maxine Easom - reappointment Five-year term expiring 06-30-21
	Jeffrey Scarbrough – reappointment Five-year term expiring 06-30-21

Mayor Denson recognized Transportation and Public Works Director David Clark for his 18 years of service with Athens-Clarke County and wished him well as he begins a new position with Fulton County.

Public hearing and deliberation on recommendations from the Athens-Clarke County Planning Commission

A public hearing was held on request of James C. Warnes, as agent for Catholic Archdiocese of Atlanta, for rezoning from C-O (Commercial-Office) and C-O* (Commercial- Office Zoning with conditions to C-D (WE) (PD) Commercial-Downtown, West End Downtown Design Area - Planned Development) and RM-3 (PD) (Mixed Density Residential - Planned Development) on 6.201 acres known as 134 Prince Avenue and 134 Childs Street. Proposed use is commercial and residential development. This will require an amendment to the Future Development Map from Community Institutional to Downtown. Type I

Planning Commission recommendation: Approve (unanimous)
Future Development Map

Planning Commission recommendation: Approve w/condition (unanimous)
Rezoning

Citizen input

The following citizen input was received.

1. Jim Warnes, 244 East Washington Street, representing petitioner – requested amendment to the Future Development Map be approved and the rezoning request returned to the Planning Commission.

A motion was made by Commissioner Girtz, seconded by Commissioner NeSmith, to adopt the following ordinance (#16-05-22) which was presented by title only. The motion passed with nine YES votes. Commissioner Hamby abstained.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF THE APPROXIMATE 6.201-ACRE TRACT OF LAND COMPRISED OF TWO PARCELS OF LAND AT 134 PRINCE AVENUE AND 134 CHILDS STREET CURRENTLY DESIGNATED AS COMMUNITY INSTITUTIONAL TO DOWNTOWN; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Official Future Development Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future development map designation of two

parcels of land located at 134 Prince Avenue, tax map number 171A2 B002, and 134 Childs Street, tax map number 163C4 C012, together totaling approximately 6.201 acres, from Community Institutional to Downtown, as more particularly shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Future Development Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Future Development Map and Exhibit A hereto are available for inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion was made by Commissioner Girtz, seconded by Commissioner Sims, to return to the Planning Commission the request for rezoning from C-O (Commercial-Office) and C-O* (Commercial- Office Zoning with conditions to C-D (WE) (PD) Commercial-Downtown, West End Downtown Design Area - Planned Development) and RM-3 (PD) (Mixed Density Residential - Planned Development) on 6.201 acres known as 134 Prince Avenue and 134 Childs Street. The motion passed with nine YES votes. Commissioner Hamby abstained.

A public hearing was held on request of The Kroger Company, as agent for The Kroger Company; Dorado Realty Company; Athens LI LLC; Athens-Clarke County Unified Government, for rezoning from C-G (Commercial- General) to C-G (PD) (Commercial-General, Planned Development) on 18.68 acres known as 2000 and 2020 Barnett Shoals Road and 1485 and 2301 College Station Road. Proposed use is a commercial redevelopment. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

1. Araham Hawkins, representing Kroger – supported.

A motion was made by Commissioner Herod, seconded by Commissioner Dickerson, to adopt the following ordinance (#16-05-23) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING SEVEN PARCELS OF LAND AT 2301 COLLEGE STATION ROAD, 1485 COLLEGE STATION ROAD AND 2000 BARNETT SHOALS ROAD, AND A PORTION OF THE PARCEL OF LAND AT 2020 BARNETT SHOALS ROAD FROM C-G (COMMERCIAL GENERAL) TO C-G (PD) (COMMERCIAL GENERAL, PLANNED DEVELOPMENT); AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of the seven parcels of land at 2301 College Station Road, 1485 College Station Road, and 2000 Barnett Shoals Drive, and a portion of the parcel of land at 2020 Barnett Shoals Road from C-G (Commercial General) to C-G (PD) (Commercial General, Planned Development), said parcels comprising together an approximate 18.68-acre tract of land as shown on Attachment A hereto. Said tract of land is more fully described in the drawing entitled, "Master Plan, Sheet Number MP-2, Project Number 12-227, College Station Kroger, Athens, Georgia, GA-665", dated March 9, 2016, prepared by Robertson Loia Roof Architects and Engineers, on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The parcels comprising the subject 18.68-acre tract of land are also known as parcel numbers 182B 007B, a portion of 182B 007C, 182B 007L, 182B 007R, 182B 007R, 182B 007T, 182B 057 and 182B 058 on the Athens-Clarke County tax maps,

being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of six sheets, sheet one of which being entitled, "Master Plan, Sheet Number MP-2, Project Number 12-227, College Station Kroger, Athens, Georgia, GA-665", dated March 9, 2016, prepared by Robertson Loia Roof Architects and Engineers; sheet two of which being entitled, "Tree Management Plan, Sheet Number TMP-1, Project Number 12-227, College Station Kroger, Athens, Georgia, GA-665", dated December 4, 2015, revised January 29, 2016 and March 9, 2016, prepared by Robertson Loia Roof Architects and Engineers; sheet three of which being entitled, "Kroger GA665, Athens, GA" and consisting of four building elevations, dated January 7, 2016, prepared by CR Architecture and Design; sheet four of which being entitled, "Preliminary Elevations, Sheet Number A2.1, Project Number 12-227, Shops at College Station, College Station Shopping Center, 2301 College Station Rd., Athens, GA, for The Kroger Company, 2175 Parklake Dr. NE, Atlanta, GA", dated March 7, 2016, prepared by Robertson Loia Roof Architects and Engineers; sheet five of which being entitled, "College Station Kroger, Athens, GA, Kroger Fuel Center GA-665, 12-227" dated December 4, 2015; sheet six of which being entitled, "Shops at College Station, Athens, GA" and consisting of one building elevation, dated March 7, 2016, prepared by Robertson Loia Roof Architects and Engineers; all said sheets being stamped, "Binding, 4/15/16", and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding written report associated with this ordinance and incorporated herein by reference consists of seven pages and is entitled "GA-665 – College Station Kroger, Project Description and Planned Development Report" dated March 9, 2016 and being stamped, "Binding, 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. The conditions of zoning associated with this ordinance are as follows:

1. Prior to issuance of a development permit, the conveyance of all or part of the parcel of land at 1485 College Station Road from the Unified Government of Athens-Clarke County to the owner of the subject property, and the grant of an easement for public use of the internal street running along the east side of the main parking area from the owner of the subject property to the Unified Government of Athens-Clarke County shall be completed and recorded.
2. The owner of the subject property shall complete all right-of-way improvements as determined by the Athens-Clarke County Transportation and Public Works Department upon its review of final site development plans.
3. The owner of the subject property shall be granted an additional waiver to increase allowable lot coverage and reduce plaza area as determined by an exchange of property and easement described hereinabove between the Unified Government of Athens-Clarke County and the developer.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of The Kroger Company, as agent for Gray, LLC, for rezoning from C-G (Commercial- General) and C-G (PD) (Commercial-General Planned Development) to C-N (PD) (Commercial-Neighborhood, Planned Development) on 0.71 acres known as 1065 Baxter Street. Proposed use is a fuel center. Type II

Planning Commission recommendation: Deny (7-1)

Citizen input

The following citizen input was received.

1. Arahn Hawkins, representing Kroger – supported.

A motion was made by Commissioner Hamby, seconded by Commissioner Link, to adopt the following ordinance (#16-05-24) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING THE PARCEL OF LAND AT 1065 BAXTER STREET CONSISTING OF TWO PARCELS TO BE COMBINED FROM C-G (COMMERCIAL GENERAL) TO C-N (PD) (COMMERCIAL NEIGHBORHOOD, PLANNED DEVELOPMENT); AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of the parcel of land at 1065 Baxter Street and the unaddressed adjacent parcel of land, a/k/a tax map parcel number 122D3 A020C, from C-G (Commercial General) to C-N (PD) (Commercial Neighborhood, Planned Development), said parcels comprising together an approximate 0.71-acre tract of land as shown on Attachment A hereto. Said tract of land is more fully described in the drawing entitled, "Master Plan, Kroger Fuel Center @ GA - #428, 1065 Baxter Street, Athens, Georgia 30606 216th Militia District, Athens-Clarke County, GA, Project Number 15-112, Sheet Number C-MP1", dated February 3, 2016, Revised March 3, 2016, prepared by Robertson Loia Roof Architects and Engineers, on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The parcels comprising the subject 0.71-acre tract of land are also known as parcel numbers 122D3 A020A and 122D3 A020C on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of four sheets, sheet one of which being entitled, "Master Plan, Kroger Fuel Center @ GA - #428, 1065 Baxter Street, Athens, Georgia 30606 216th Militia District, Athens-Clarke County, GA, Project Number 15-112, Sheet Number C-MP1", dated February 3, 2016, Revised March 3, 2016, prepared by Robertson Loia Roof Architects and Engineers; sheet two of which being entitled, "Landscape Plan, Kroger Fuel Center @ GA - #428, 1065 Baxter Street, Athens, Georgia 30606 216th Militia District, Athens-Clarke County, GA, Project Number 15-112, Sheet Number LA-1", dated February 24, 2016, prepared by Robertson Loia Roof Architects and Engineers; sheet three of which being entitled, "Expanded Kiosk Exterior Elevations, The Kroger Co. Supermarket Petroleum Group, Drawing No. A2.0, dated July, 2015, prepared by Galloway Planning, Architecture, Engineering; sheet four of which being entitled, "Canopy Exterior Elevations & Signage, The Kroger Co. Supermarket Petroleum Group, Drawing No. CA2.0, dated July, 2015, prepared by Galloway Planning, Architecture, Engineering; all said sheets being stamped "Binding 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding written report associated with this ordinance and incorporated herein by reference consists of six pages and is entitled, "GA-428 – Baxter Street Kroger Fuel Center, Project Description and Planned Development Report", dated December 4, 2015, Revised March 4, 2016, prepared by Robertson Loia Roof Architects & Engineers, and being stamped, "Binding, 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Dewberry Engineers, Inc. as agents for Walton Georgia, LLC, for rezoning from C-G (Commercial-General) and C-G(PD) (Commercial -General Planned Development) to C-G (PD) (Commercial-General Planned Development), RM-2 (PD) (Mixed Density Residential Planned Development) and RS-5 (PD) (Single-Family Residential – Planned Development) on 214.79 acres known as 4500 Atlanta Highway. Proposed use is a commercial and residential development. This will require an amendment to the Future Development Map from

Community Center Mixed Use and Corridor Business to Corridor Residential and Corridor Business. Type I

Planning Commission recommendation: Approve (7-1)
Future Development Map

Planning Commission recommendation: Approve w/conditions (7-1)
Rezoning

Citizen input

The following citizen input was received.

1. Mike Morris, 598 Fortson Road, representing petitioner – supported.

A motion was made by Commissioner NeSmith, seconded by Commissioner Hamby, to adopt the following ordinance (#16-05-25) which was presented by title only. The motion passed by roll call vote with Commissioners Dickerson, Sims, Link, Wright, NeSmith, Bell, Herod, Girtz, and Hamby voting YES; and Commissioner Bailey voting NO. (9 YES; 1 NO)

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE OFFICIAL FUTURE DEVELOPMENT MAP OF ATHENS-CLARKE COUNTY BY CHANGING THE DESIGNATION OF THE APPROXIMATE 214.79-ACRE TRACT OF LAND COMPRISED OF TEN PARCELS OF LAND AT 0, 4500, 4530, 4550, 4560, 4564 AND 4594 ATLANTA HIGHWAY, AND 125, 135 AND 145 BEDGOOD ROAD CURRENTLY DESIGNATED AS COMMUNITY CENTER MIXED USE AND CORRIDOR BUSINESS TO CORRIDOR RESIDENTIAL AND CORRIDOR BUSINESS; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. The Official Future Development Map referred to in the Zoning Ordinance of Athens-Clarke County, Georgia, as specifically identified in Section 9-3-3(A) (2) thereof, is hereby amended by changing the future development map designation of ten parcels of land located at 0 Atlanta Highway, tax map number 044B 024; 4500 Atlanta Highway, tax map number 044 025; 4530 Atlanta Highway, tax map number 044B 027; 4550 Atlanta Highway, tax map number 044B 026; 4560 Atlanta Highway, tax map number 044B 024A; 4564 Atlanta Highway, tax map number 044B 025; 4594 Atlanta Highway, tax map number 044B 023A; 125 Bedgood Road, tax map number 044B 029; 135 Bedgood Road, tax map number 044B 030; and 145 Bedgood Road, tax map number 044B 031 from Community Center Mixed Use and Corridor Business to Corridor Residential and Corridor Business, as more particularly shown on Exhibit A, attached hereto and incorporated herein by reference.

The date of this amendment to the Official Future Development Map of Athens-Clarke County as shown by Exhibit A shall be duly noted in the minutes of the Commission meeting. The Official Future Development Map and Exhibit A hereto are available for inspection in said Clerk's Office, 301 College Avenue, Athens, Georgia.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A motion was made by Commissioner NeSmith, seconded by Commissioner Hamby, to adopt the following ordinance (#16-05-26) which was presented by title only. The motion passed by roll call vote with Commissioners Dickerson, Sims, Link, Wright, NeSmith, Bell, Herod, Girtz, and Hamby voting YES; and Commissioner Bailey voting NO. (9 YES; 1 NO)

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING THE APPROXIMATE 214.79-ACRE TRACT OF LAND COMPRISED OF TEN PARCELS OF LAND AT 0, 4500, 4530, 4550, 4560, 4564 AND 4594 ATLANTA HIGHWAY, AND 125, 135 AND 145 BEDGOOD ROAD FROM C-G (PD) (COMMERCIAL GENERAL, PLANNED DEVELOPMENT) AND C-G (COMMERCIAL GENERAL) TO C-G (PD) (COMMERCIAL GENERAL, PLANNED DEVELOPMENT), RM-2 (PD) (MIXED DENSITY RESIDENTIAL, PLANNED

DEVELOPMENT) AND RS-5 (PD) (SINGLE FAMILY RESIDENTIAL, PLANNED DEVELOPMENT); AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of an approximate 214.79-acre tract of land comprised of ten parcels of land located at 0 Atlanta Highway, tax map number; 4500 Atlanta Highway, tax map number; 4530 Atlanta Highway, tax map number 044B 027; 4550 Atlanta Highway, tax map number 044B 026; 4560 Atlanta Highway, tax map number 044B 024A; 4564 Atlanta Highway, tax map number 044B 025; 4594 Atlanta Highway, tax map number 044B 023A; 125 Bedgood Road, tax map number 044B 029; 135 Bedgood Road, tax map number 044B 030; and 145 Bedgood Road, tax map number 044B 031 from C-G (PD) (Commercial General, Planned Development) AND C-G (Commercial General) TO C-G (PD) (Commercial General, Planned Development), RM-2 (PD) (Mixed Density Residential, Planned Development) and RS-5 (PD) (Single Family Residential, Planned Development) as shown on Attachment A hereto. Said tract of land is more fully described in the drawing entitled, "Zoning Exhibit, Walton Winslow Park, 4600 Atlanta Hwy., Bogart, GA 30622, Review Documents" undated, prepared by Dewberry Engineers, Inc., on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The ten parcels comprising the subject 214.79-acre tract of land are also known as parcel numbers 044B 024, 044 025, 044B 027, 044B 026, 044B 024A, 044B 025, 044B 023A, 044B 029, 044B 030 and 044B 031 on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of four sheets, sheet one being entitled, "Overall Site Layout, Sheet No. C-1, Walton Winslow Park, 4600 Atlanta Hwy., Bogart, GA, 30622, Review Documents", undated; sheet two being entitled, "Commercial Zone, Sheet No. C-2, Walton Winslow Park, 4600 Atlanta Hwy., Bogart, GA, 30622, Review Documents", undated; sheet three being entitled, "Commercial Landscape Plan, Sheet No. C-5, Walton Winslow Park, 4600 Atlanta Hwy., Bogart, GA, 30622, Review Documents", undated; sheet four being entitled, "Open Space Exhibit, Sheet No. C-6, Walton Winslow Park, 4600 Atlanta Hwy., Bogart, GA, 30622, Review Documents", undated; all said sheets prepared by Dewberry Engineers, Inc., stamped, "Binding, 4/15/16", and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Two binding written reports are associated with this ordinance and incorporated herein by reference. The first consists of 32 pages and is entitled "Winslow Park Planned Development Project Report", dated March 4, 2016 and revised April 11, 2016. The second binding written report consists of 66 pages and is entitled "Winslow Park Design Guidelines", undated. Both such binding reports are stamped "Binding 4/15/16" and are on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. The conditions of zoning associated with this ordinance are as follows:

1. The RM-2 (PD) zoned area shall meet all conserved tree canopy requirements of the ACC Code.
2. Plans for development of the RM-2 (PD)-zoned area shall be submitted through the plans review process and meet all ACC development ordinance requirements, as well as all additional requirements contained in the binding written reports.
3. The right-of-way for Bedgood Road shall be widened 12 feet to the east to meet ACC public right-of-way standards.
4. Prior to issuance of any permits, page 5 of the binding written report concerning Dakota Drive shall be revised to indicate that in the event additional right-of-way is required for Dakota Drive to meet the requirements of the ACC Code, the applicant will be responsible for purchasing such additional right-of-way.
5. Prior to issuance of any permits, the binding master site plan shall be revised to include existing topography and five-foot contour intervals.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Charles S. Armentrout, as agent for JD & Sons, for amendment to C-N (PD) (Commercial-Neighborhood Planned Development) on .023 acres known as 151 Nellie B Avenue. Proposed use is additional commercial development. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Charles Armentrout, 996 Riverbend Parkway, representing petitioner – supported.

A motion was made by Commissioner Sims, seconded by Commissioner Dickerson, to adopt the following ordinance (#16-05-27) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO AMENDING THE EXISTING PLANNED DEVELOPMENT ZONED C-N (PD) (COMMERCIAL NEIGHBORHOOD, PLANNED DEVELOPMENT) ON ONE APPROXIMATE 0.23-ACRE PARCEL AT 151 NELLIE B AVENUE #1, WITHIN AN EXISTING APPROXIMATE 1.20-ACRE PLANNED DEVELOPMENT AT 151-159 NELLIE B AVENUE AND 585 VINE STREET; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by amending a portion of the existing approximate 1.20-acre planned development zoned C-N (PD) (Commercial Neighborhood, Planned Development) at 151 – 159 Nellie B Avenue and 585 Vine Street, said portion being the approximate 0.23-acre parcel at 151 Nellie B Avenue #1, to permit the construction of an approximate 734 square foot addition to the existing structure thereon. Said 0.23-acre parcel is more fully described in the drawing entitled, "Amendment to Lot 6 & 7 of Existing Master Planned Development Zoning: C-N (PD), 151 Nellie B Avenue, Athens, Georgia, Proposed Planned Development Within Existing Planned Development", Sheet 2 of 5, dated and revised August 11, 2015, prepared by Armentrout Matheny Thurmond Engineers Architects Planners, on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said 0.23-acre parcel of land at 151 Nellie B Avenue #1 is designated as tax parcel number 172A2 F001A on the Athens-Clarke County tax map that is on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning map in the Clerk of Commission's Office and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plans associated with this ordinance and incorporated herein by reference consist of three sheets, sheet one of which being entitled, "Amendment to Lot 6 & 7 of Existing Master Planned Development Zoning: C-N (PD), 151 Nellie B Avenue, Athens, Georgia, Proposed Planned Development Within Existing Planned Development", Sheet 2 of 5, dated and revised August 11, 2015; sheet two of which being entitled, "Amendment to Lot 6 & 7 of Existing Master Planned Development Zoning: C-N (PD), 151 Nellie B Avenue, Athens, Georgia, Proposed Landscape Plan", Sheet 3 of 5, dated and revised August 11, 2015; sheet three of which being entitled, "Amendment to Lot 6 & 7 of Existing Master Planned Development Zoning: C-N (PD), 151 Nellie B Avenue, Athens, Georgia, Elevations", Sheet 5 of 5, dated and revised August 11, 2015, all said sheets prepared by Armentrout Matheny Thurmond Engineers Architects Planners, stamped, "Binding 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding written report associated with this ordinance and incorporated herein by reference consists of 10 pages, entitled "Planned Development Modification, Union Store at Triangle Plaza, 151 Nellie B. Avenue, Athens, GA 30601" dated October 21, 2015, revised March 2016, prepared by Charles S. Armentrout, P.E., stamped "Binding 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Except as specifically amended hereby the provisions of all previously approved binding plans, architectural elevations and binding written reports will remain in full force and effect.

SECTION 3. The conditions of amending the existing planned development associated with this ordinance are as follows:

1. Prior to issuance of any permits the binding report shall be amended omitting reference to floor area ratio.
2. Prior to issuance of any permits the binding report shall be amended to denote that the required minimum percentage of window and door area for elevations facing the public right of way shall be 30 percent.
3. Prior to issuance of any permits the binding report shall be amended to indicate that the total impervious surface of the existing planned development will be increased.
4. Prior to issuance of any permits, a binding tree management plan shall be submitted meeting all ACC Code requirements for overall tree canopy, parking lot trees, and street trees.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Smith Planning Group, as agents for West Broad Holding, LLC, for rezoning from C-G (Commercial-General and RS-8 (Single-Family Residential) to C-N* (Commercial-Neighborhood) Zoning with Conditions on .786 acres known as 1764 and 1774 Old West Broad Street. Proposed use is additional commercial development. Type II

Planning Commission recommendation: Approve w/conditions (unanimous)

Citizen input

The following citizen input was received.

1. Bob Smith, Smith Planning Group, representing petitioner – supported.

A motion was made by Commissioner Link, seconded by Commissioner NeSmith, to adopt the following ordinance (#16-05-28) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA WITH RESPECT TO REZONING THE PARCEL OF LAND AT 1764 OLD WEST BROAD STREET FROM RS-8 (SINGLE FAMILY RESIDENTIAL) TO C-N* (COMMERCIAL NEIGHBORHOOD ZONING WITH CONDITION), AND THE PARCEL OF LAND AT 1774 OLD WEST BROAD STREET FROM C-G (COMMERCIAL GENERAL) TO C-N* (COMMERCIAL NEIGHBORHOOD ZONING WITH CONDITION); AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The map constituting the component part of the Zoning Ordinance of Athens-Clarke County, Georgia, by virtue of and in compliance with Section 9-3-3 and Section 9-3-6 thereof, is hereby amended by changing the zoning of the parcel of land at 1764 Old West Broad Street from RS-8 (Single Family Residential) to C-N* (Commercial Neighborhood Zoning With Condition), and by changing the zoning of the parcel of land at 1774 Old West Broad Street from C-G (Commercial General) to C-N* (Commercial Neighborhood Zoning With Condition), said parcels together comprising an approximate 0.786-acre tract of land as shown on Attachment A hereto. Said tract of land is more fully described in the drawing entitled, "Site Plan, 1774 Old West Broad Street, Athens-Clarke County, Georgia, C-20", dated January 28, 2016, revised March 4, 2016 and March 11, 2016, prepared by Smith Planning Group, and on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The parcels comprising the subject 0.786-acre tract of land are also known as parcel numbers 122C2 C011 and 122C2 C012 on the Athens-Clarke County tax maps, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 West Dougherty Street, Athens, Georgia. The date of this

amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A shall be noted on said Official Zoning Map in the Clerk of Commission's Office at 301 College Avenue, Athens, Georgia, and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding master site plan associated with this ordinance and incorporated herein by reference consists of one sheet, entitled, "Site Plan, 1774 Old West Broad Street, Athens-Clarke County, Georgia, C-20", dated January 28, 2016, revised March 4, 2016 and March 11, 2016, prepared by Smith Planning Group, stamped, "Binding, 4/15/16", and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. The conditions of zoning associated with this ordinance are as follows:

1. Prior to issuance of any permits a plat combining the two subject parcels shall be recorded.
2. Prior to issuance of any permits, the location of the buffer fence shall be approved by the Planning Director.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

A public hearing was held on request of Smith Planning Group, for Dorine L. Burkhard, for special use in AR (Agricultural Residential) on 22.72 acres known as 2245 Cleveland Road. Proposed use is a church. Type II

Planning Commission recommendation: Approve (unanimous)
Variance

Planning Commission recommendation: Approve w/conditions (unanimous)
Special Use

Citizen input

The following citizen input was received.

1. Bob Smith, Smith Planning Group, representing petitioner – supported.
2. Jerry Alexander, Pastor – supported.

A motion was made by Commissioner NeSmith, seconded by Commissioner Bailey, to approve request for a variance to waive the requirement of section 9-25-8.E.1.a. of the Code of Athens-Clarke County, Georgia for sidewalk along Cleveland Road under the condition that all existing trees of 6" dbh or greater located within 50 feet of the Cleveland Road right of way shall be conserved. The motion passed by unanimous vote.

A motion was made by Commissioner NeSmith, seconded by Commissioner Bailey, to adopt the following ordinance (#16-05-29) which was presented by title only. The motion passed by unanimous vote.

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO SPECIAL USE APPROVAL IN THE AR (AGRICULTURAL RESIDENTIAL) DISTRICT ON THE APPROXIMATE 22.72-ACRE PARCEL OF LAND LOCATED AT 2245 CLEVELAND ROAD; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia hereby ordains as follows:

SECTION 1. The current AR (Agricultural Residential) district in which is located an approximate 22.72-acre parcel of land at 2245 Cleveland Road in Athens-Clarke County, Georgia is hereby amended to provide for Special Use approval for said parcel to permit the

construction and operation of a church thereon. The subject parcel is more fully described on the drawing entitled, "Special Use Site Plan, Faith Christian Church, Athens-Clarke County, Georgia", dated March 4, 2016, prepared by Smith Planning Group, and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

Said approximate 22.72-acre parcel of land at 2245 Cleveland Road in Athens-Clarke County, Georgia is designated as tax parcel number 041 004 on the Athens-Clarke County tax map, being on file and available for public inspection in the office of the Athens-Clarke County Planning Department, 120 W. Dougherty Street, Athens, Georgia. The date of this amendment to the Official Zoning Map of Athens-Clarke County as shown by Attachment A hereto shall be noted on said Official Zoning map in the Clerk of Commission's Office and duly noted in the minutes of the Commission meeting.

SECTION 2. The binding site plan associated with this ordinance and incorporated herein by reference consists of two sheets; sheet one of which being entitled, "Special Use Site Plan, Faith Christian Church, Athens-Clarke County, Georgia", dated March 4, 2016, prepared by Smith Planning Group; sheet two of which being entitled, "Conceptual Front Elevations; New Multi-Purpose Building for Faith Christian Baptist Church, Sheet Number A1.2", dated March 2, 2016, prepared by Garland and Associates Contractors, Inc., all said sheets being stamped, "Binding 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

The binding written report associated with this ordinance and incorporated herein by reference consists of five pages, entitled "Faith Christian Church, 2245 Cleveland Road, Special Use Permit Application Report, Athens-Clarke County, Georgia", dated March 4, 2016, stamped "Binding 4/15/16" and being on file and available for public inspection in the Office of the Athens-Clarke County Planning Department.

SECTION 3. A variance to waive the requirement of section 9-25-8.E.1.a. of the Code of Athens-Clarke County, Georgia for sidewalk along Cleveland Road is approved under the condition that all existing trees of 6" dbh or greater located within 50 feet of the Cleveland Road right of way shall be conserved.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

At 10:00 p.m. Commissioner Bailey was excused for the remainder of the meeting.

Citizen input on items other than those listed on this agenda

The following citizen input was received.

1. Sydney Bacchus – concerned with landfill issues.
2. Alvin Sheats, P.O. Box 5142, Hancock Athens Coalition Against Displacement (HACAD) – supported tax break for senior citizens.
3. Reba Kimbrough, 234 Rocksprings Court – supported tax break for senior citizens.
4. Tim Denson 290 Midway Road – supported living wage; complimented Police Chief Freeman for clearing backlog of rape kits.
5. Stephanie Calhoun, UGA Political Science – supported mandatory sexual assault training for downtown bars.
6. Amy Elrod, 600 North Thomas Street – supported mandatory sexual assault training for downtown bars employees.
7. Devonna Nickeo, UGA - supported mandatory sexual assault training for downtown bar employees.
8. Fishburn, 155 Oak Tree Square – supported mandatory sexual assault training for downtown bar employees.
9. Ming Yang, UGA student - supported mandatory sexual assault training for downtown bar employees.

10. Charles Mack – 123 Pearl Street – concerned about a sewer line across his property.
11. Jesse Houle - supported mandatory sexual assault training for downtown bar employees.
12. Mark McConnell, 2510 Commerce Road – thanked everyone who participated in Earth Day activities.

FROM MAYOR DENSON:

1. Announced a proclamation will be issued to Dr. G's Creations recognizing participation in the Adopt-A-Highway Program.
2. Announced the appointment of Grady Martin as District 1 representative on the 2011 SPLOST Oversight Committee.

FROM MANAGER WILLIAMS:

1. Report of contract awards in excess of \$10,000 for the month of March 2016 was entered into the record.
2. Report of Manager proposed operating transfer to Transportation and Public Works was entered into the record.

FROM COMMISSIONER HAMBY:

1. Stated he is pleased to see the award of a contract to Carl Vinson Institute of Government for research on jail diversion for individuals with mental illness.

FROM COMMISSIONER DICKERSON:

1. Requested for the third time Athens For Everyone direct e-mail to her campaign address.
2. Thanked Mary Quinn for her service on the 2011 SPLOST Oversight Committee and Grady Martin for agreeing to serve.
3. Thanked Manager for prompt update on recent police-involved shooting.
4. Stated recent public meetings have been held with regard to odor control at the landfill. She requested that citizen comments regarding landfill operations be referred to her.

FROM COMMISSIONER SIMS:

1. Requested removal of yellow curb in front of 223 Fairview Street.
2. Requested Mayor assign to Legislative Review Committee a review of other jurisdictions which have ordinances related to overgrown lots. Mayor Denson honored this request.

FROM COMMISSIONER GIRTZ:

- 1, Stated Community Development Block Grant funds can be used in the Hancock Corridor area for home repairs.

FROM COMMISSIONER LINK:

1. Stated she's had discussions with Hancock Corridor residents regarding property tax rates.

FROM COMMISSIONER WRIGHT:

1. Thanked public for returning her to serve another term on the commission.
2. Stated the Clarke Central Men's Soccer Team has moved to the Elite 8 in-state tournament.

FROM COMMISSIONERS NESMITH, GIRTZ, LINK, AND WRIGHT:

1. Requested consideration of mandated training for bar employees regarding sexual harassment/assault.

A motion was made by Commissioner Sims, seconded by Commissioner Herod, to enter into executive session for discussion of real estate matters. The motion passed by unanimous vote.

The meeting adjourned at 11:00 p.m.

Clerk of Commission